

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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CHARLES J. HOMELSEY  
a/k/a CHARLES J. MAYBERRY,

Petitioner,

v.

MICHAEL DITTMAN,  
Warden, Columbia Correctional Institution,

Respondent.  
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ORDER

16-cv-47-bbc

Petitioner Charles Homelsey has filed a document that he calls “Intentional Harassment of Mentally Disabled Prisoner/Petitioner’s Receipt of Legal Assistance Services.” Dkt. #12. In the document, petitioner alleges that he will be unable to provide a trust fund account statement as requested by the court because prison officials have been interfering with his ability to communicate with Oscar McMillian, another prisoner who is assisting petitioner with this case. In particular, petitioner alleges that the prison librarian confiscated the court order that directed petitioner to provide his trust fund account statement and that a prison official named Captain Boodry informed McMillian that he “could very well end up in segregation” if he continues to help petitioner with this case. It is not clear what relief petitioner wants, but he seems to be asking the court to stop the alleged interference with his right to litigate this case.

Because the court has received petitioner's trust fund account statement, dkt. #11, I am denying the request as moot. However, it would behoove respondent and respondent's counsel to investigate this matter to insure that staff members are not violating petitioner's right to have access to the courts.

If prison officials prevent petitioner from seeking assistance from McMillian or another prisoner in the future, petitioner will have to file a new motion. If that happens, respondent should be prepared to explain the reasons for any interference as well as what alternative resources the prison is providing petitioner to allow him to litigate this case.

ORDER

IT IS ORDERED that petitioner Charles Homelsey's motion, dkt. #12, is DENIED as moot.

Entered this 20th day of April, 2016.

BY THE COURT:

/s/

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BARBARA B. CRABB  
District Judge